

EXECUTIVE OFFICES OF MARION COUNTY SHERIFF KERRY J. FORESTAL

40 South Alabama Street Indianapolis, Indiana 46204 (317) 327-1310 Fax (317) 327-1315 GENERAL OFFICES (317) 327-1700

May 11, 2021

James Yarbrough #436213 730 E. Washington St. Indianapolis, IN 46202

Re: Record Request

Mr. Yarbrough,

The Marion County Sheriff's Office received your request for the case report from September 2020, the date you were booked in, what block you were in, when you were sent to Esksenazi Hospital and your medical records.

We are currently getting a cost for the copies of those records and will send a follow up letter with the total amount to be paid.

Sincerely,

Marion County Sheriff's Office

AFFIDAVIT FOR PROBABLE CAUSE

STATE OF INDIANA, COUNTY OF MARION, SS:

Agency case report: IP20-0102589

On October 7, 2020, Detention Deputy Kayleigh Warner (#43500) was assigned the 2 West detail at the Marion County Jail located at 40 S. Alabama Street Indianapolis, IN. Detention Deputy Warner was working in full uniform. While completing her assigned duties, someone used the medical emergency button. Detention Deputy Warner responded to the call from Block 2F. There was no answer when she asked what the medical emergency was, but she heard screaming in the background. Detention Deputy Warner entered the range on 2F to investigate the nature of the medical emergency.

Detention Deputy Warner saw James Yarbrough (436213) lying on the floor by the door to the block bleeding from his head. Yarbrough had visible bruises and swelling around his forehead and cheeks and mouth. His lip was cut and he had lacerations all around his lips and eyebrows. Yarbrough was removed from the block and placed on the bench behind slider #5 while the nursing responded to assess his injuries. The nurses took Yarbrough's vitals; he was stable with elevated blood pressure. Sgt. Austin Le (#41767) and Sgt. James Floyd (#41852) responded to the incident and captured images of Yarbrough's injuries. Yarbrough stated he wanted to press charges but was unable to identify the first or last names of any of the individuals who assaulted him. Yarbrough was transported to Eskenazi hospital via ambulance.

Lt. Allen Ward (#W5978) responded to Eskenazi to assess the extent of Yarbrough's injuries and follow up on the events. Lt. Ward saw Yarbrough was missing several front teeth, had multiple knots on his forehead and the side of his head, and cuts above his left eye and right upper lips. Yarbrough was complaining of pain to his ribs. Lt. Ward attempted to interview Yarbrough but was unable to continue the interview due to his injuries and the medication administered for pain. Yarbrough did state he was assault by a group of 3 or 4 inmates and it occurred because of his pending case. He stated when a new inmate came into the block one of the inmates would make a call and have someone on the outside check MyCase to see what charges the new inmate had pending.

On October 12, 2020, Lt. Ward interviewed Yarbrough and showed him photo arrays of each inmate who was in block 2-F during the incident. This consisted of 30 inmates. When inmate Yarbrough flipped over the preceding picture, he identified subject number #4 on line up #153355 as an aggressor in the assault. Subject number #4 was Kavon Donaldson. Yarbrough continued through the photo arrays and stopped on line up #152037. He identified subject number 2 as a participant in the assault. Subject number #2 was Delance Hatcher. Yarbrough continued through the photo arrays and stopped on line up #156081 and identified subject number #2, Lasean Watkins. The fourth and final person Yarbrough identified as participating in the assault was subject #1 in line up #156086, Collin Hurt. Yarbrough believed Hurt was the fourth individual but had some doubt. He stated a large white male kicked him in the ribs but continued to hesitate on whether Collin Hurt was involved in the assault.

Affidavit for Probable Cause

Lt. Ward received copies of Yarbrough's medical records on October 29. Yarbrough sustained trauma to his head resulting in a laceration to the left front side of his scalp and loss of and root fracture to his front teeth. Yarborough had bilateral rib fractures and multiple contusions to his chest and face. Yarbrough was discharged from Eskenazi Hospital on October 8, 2020, and returned to the Marion County Jail.

All events occurred in Marion County, State of Indiana.

I swear (affirm), under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing representations are true to the best knowledge and belief; and that these facts are from my personal knowledge or that I learned these facts from another law enforcement officer.

DATED: December 20, 2020

/s/ Lt. Allen Ward AFFIANT

STATE OF INDIANA MARION COUNTY, ss:	IN THE MARION SUPERIOR COURT CRIMINAL DIVISION
STATE OF INDIANA) vs.)	Cause No: 49G05 INFORMATION COUNT I BATTERY RESULTING IN MODERATE BODILY INJURY
Lasean Watkins B/Male DOB 3/8/2000	I.C. 35-42-2-1(c)(1) and I.C. 35-42-2-1(e) (1) A LEVEL 6 FELONY
Co-Defendant with:	

On this date, the undersigned Deputy Prosecuting Attorney of the Nineteenth Judicial Circuit, being duly sworn on his/her oath (or having affirmed), says that in Marion County, Indiana

COUNTI

Kavon Latrell Donaldson Delance Charles Hatcher

On or about October 7, 2020, Lasean Watkins, Kavon Donaldson, and Delance Hatcher did knowingly touch James Yarbrough in a rude, insolent, or angry manner by striking James Yarbrough resulting in moderate bodily injury;

all of which is contrary to statute and against the peace and dignity of the State of Indiana.

December 21, 2020 Date

RYAN MEARS Marion County Prosecutor 19th Judicial Circuit

/s/ Mark R. Conner

Deputy Prosecuting Attorney

State's Witnesses: Allen Ward W5978 MCSO Kayleigh Warner 43500 MCSO Austin Le 41767 MCSO James Floyd 41852 MCSO James Yarbrough

A change in law

Each person should have the right to protect there privacy from the public because, some pepaleane bias aginst sex offender's wheather the offender know's right from wrong, for as pepale we are not perfect, we are all born to mistake's. I if are full of choicese we of pepale have to make the—the right choice and the one who choose the wrong choick be Jud op by law and by law shall be punish and not punish by man of—society there for society should the able to easy to obtain private records of one's present or fass life Just having knowledge of my first and last name is to easy to obtain records of whom or wat, he orshe has been changed with in the present or pass life there must be achange in law, not every person that change with a sex crime are guilty we are all Presumed innocent until proven guilty. So by law let's make a change for the facture.

thank you garlineigh

Marion county Jail

Due to being incocerated in the and in the care of the -of marion county Jail i have substained injury that has scar me for life, I have substained injury's around my eye brows and now they are lacenations scars, I have lost 4 teeth, a scar on my upper lip, my lips and gums stay numb my ribs stay sore, my back aches when I walk, I lost strength in my right arm, i don't see very well since the incident it's very cloudy. i was fine before i come to marion county Jail, my Image has been destroyed. Im 49 yrs old i don't see my self hestoring anything Thouse lost.

Thank you James Garbraugh